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Paper No. 7

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In re Application of :
Hsu, et al. :
Application No. 09/679,514 :
Filed: October 6, 2000 :
Attorney Docket No. TS2000-166 :

OFFICE OF PETITIONS
DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.181(a) filed October 21, 2002.

The petition under 37 CFR 1.181(a) is GRANTED.

This application was held abandoned on March 21, 2002, because it was believed that no response was received in response to the non-final Office action, mailed December 20, 2001, which set an extendable statutory period for reply of three months from its mailing date. Petitioner was advised of the above-cited application's abandonment by a Notice of Abandonment mailed July 15, 2002.

Petitioner maintains that the an amendment responsive to the December 20, 2001, Office action was deposited with the United States Postal Service on November 6, 2000. As evidence of the same, petitioner provided a copy of the amendment showing a certificate of mailing dated March 20, 2002, and a copy of petitioner's outgoing docket records for the relevant period. Based on the facts as stated in the instant petition, and the corroborative evidence provided, it is concluded that the holding of abandonment was improperly imposed; the holding of abandonment is, therefore, withdrawn as of the mailing date of this decision.

The application is being forward to Technology Center 1600 for review of Amendment filed originally mailed March 20, 2002.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 305-0010.

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Petitions Attorney
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